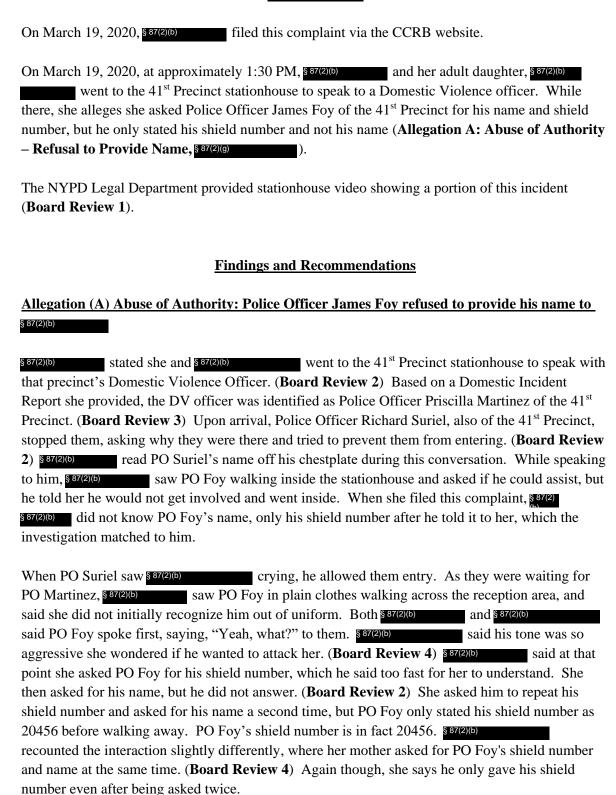
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Force	☐ Discourt.	☐ U.S.
Nicholas Venduras		Squad #7	202002251	☑ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Precinct:	18 Mo. SOL	EO SOL
Thursday, 03/19/2020 1:24 PM		41st Precinct Stationhouse		41	9/19/2021	5/6/2022
Date/Time CV Reported		CV Reported At:	How CV Reported:	Date/Tim	e Received at CC	RB
Thu, 03/19/2020 1:52 PM		CCRB	On-line website	Thu, 03/1	9/2020 1:52 PM	
Complainant/Victim	Type	Home Address				
Witness(es) Home Address						
Subject Officer(s)	Shield	TaxID	Command			
1. POM James Foy	20456	963349	041 PCT			
Witness Officer(s)	Shield N	o Tax No	Cmd Name			
1. POM Richard Suriel	13059	932120	041 PCT			
2. POF Priscilla Martinez	20586	958885	041 PCT			
Officer(s)	Allegatio	on		Inv	estigator Recor	nmendation
A.POM James Foy	Abuse: Police Officer James Foy refused to provide his name to \$87(2)(b)					

Case Summary



PO Foy described the interaction differently and said he provided all the information [887(2)(6)] requested. (Board Review 5) He said \$97(2)(b) told him to "get a sergeant right now," as he walked into the stationhouse. He told her she was already being helped by PO Suriel and would not get involved. PO Suriel was the more experienced officer and PO Foy saw no reason to intervene. After he changed out of his uniform into street clothes to paint a new office space in the stationhouse, he saw §87(2) and §87(2)(b) sitting in the waiting area. §87(2)(b) "That's him, that's the officer," and told him she needed his name and shield number. PO Foy said he explicitly stated, "Officer Foy, 20456." \$87(2)(b) asked for no other information, nor did she ask him to repeat himself, so he said nothing else and continued on his way. No witnesses were present during this conversation. PO Suriel said the two women were frustrated while outside and talked over each other at times, but from where he was posted as stationhouse security, he was unable to hear any conversations happening indoors and he did not see them speaking to PO Foy once they got inside (**Board Review 6**). No officers told him about any interactions with \$87(2) or \$87(2)(b) after that either. PO Martinez' office is too far from the waiting area to hear any conversations taking place there. (Board Review 7) She said neither \$87(2) nor \$87(2)(b) told her about any conversations in the waiting area, nor did any officers. Neither witness officer had any knowledge of PO Foy's conversation with \$37(2) or in the reception area. Stationhouse footage shows the brief interaction outside the stationhouse where before he enters, PO Foy points at PO Suriel when \$87(2)(b) addresses him, but there is no sound or any interior footage showing subsequent conversations. (**Board Review 1**) Patrol Guide Procedure 203-09, which instructs officers on how to interact with members of the public, states officers should, "Courteously and clearly state your rank, name, shield number and command, or otherwise provide them, to anyone who requests you to do so. Allow the person ample time to note this information." (Board Review 8) § 87(2)(g)

Civilian and Officer CCRB Histories

	•	mber of service for three years a llegations, none of which were s	· ·				
Review 9) • This is the first CCRB complaint to which §87(2)(b) has been a party.							
Mediation, Civil and Criminal Histories							
 \$87(2)(b) rejected mediation because she does not believe it will be effective. On November 5, 2020, a Notice of Claim inquiry was sent to the NYC Office of the Comptroller. On November 12, 2020, the NYC Office of the Comptroller stated no notices of claim filed on behalf of \$87(2)(b) were located for this incident. (Board Review 10) According to the Office of Courts Administration (OCA), \$87(2)(b) has no history of convictions in New York City. (Board Review 11) 							
Squad No.:	7						
Investigator:	Nick Venduras Signature	Inv. Nicholas Venduras Print Title & Name	Nov. 22, 2020 Date				
Squad Leader:		Manager Vanessa Rosen	November 23, 2020				
equal Deuter.	Signature	Print Title & Name	Date				
Reviewer:	Signature	Print Title & Name	Date				